

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**ANTONIO MAYS,
Petitioner,**

v.

Case No. 06MC0018

**PHIL KINGSTON, Warden,
Waupun Correctional Institution
Respondent.**

ORDER

On March 17, 2006, Antonio Mays filed a "Request for a Stay in Filing Proposed Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254." He requests that I "stop the time to file a proper Writ of Habeas Corpus" so that he can exhaust certain claims. Petitioner has filed no other documents in the present case.

Review of the docket indicates that on April 12, 2006, Mays filed a petition pursuant to 28 U.S.C. § 2254. See Mays v. Kingston, No. 06 C 0486 (E.D. Wis. 2006). On May 8, 2006, he filed a motion to stay in case number 04 C 0486 so that he could exhaust certain claims. The motions in both the present case and in case number 04 C 0486 are identical. Because I already addressed petitioner's motion in case 04 C 0486, I will deny his request as moot and dismiss this case.

THEREFORE, IT IS ORDERED that petitioner's request for a stay is **DENIED** as moot and this case is **DISMISSED**.

Dated at Milwaukee, Wisconsin, this 20 day of July, 2006.

/s _____
LYNN ADELMAN
District Judge